

# **Kentucky Agricultural Development Board**

## **Meeting Minutes**

**January 19, 2001**

**The Kentucky Agricultural Development Board met on Friday, January 19, 2001, in the South Wing Conference Center, Suite 105, of the Kentucky Fair and Exposition Center, in Louisville. Commissioner Billy Ray Smith, Vice Chairman, called the meeting to order, and the secretary called the roll.**

### **Members Present:**

Commissioner Billy Ray Smith, Vice Chairman; John-Mark Hack, Executive Director; Gordon Duke, Chief Operating Officer; Daniel Case; Larry Clay; Seth Conner; Susan Harkins; Wayne Hunt; Keith Jeffries; Sam Lawson; Sam Moore; Willa Poynter; Eddie Sellers; Mike Slaughter; Dean Scott Smith, and Secretary Gene Strong.

### **Others Present:**

Dan Risch, Legislative Research Commission; Kellie Rodman, The Commonwealth Group; Sharon Burton, The Farmer's Pride; Jeff Hall, University of Kentucky; Jay Stone; Christian County Extension Service; Larry Jeffries, KY Forage and Grasslands Council; Amy McCowan, Community Farm Alliance; Joe Ward, The Courier-Journal; Sara Dryden, Burley Tobacco Coop; Jill LeMaster, Executive Branch Ethics; John M. Barrick, Allorganic; David Clancy, Joe Hemp, R.J., and Peggy Kidwell, First Hemp Bank; Sean M. Cutter, McBrayer, McGinnis, Leslie and Kirkland; and Ashley Davis, Ben Gramig, Joel Neaveill, Lisa Thomas, and Tim Woods, Governor's Office of Agricultural Policy.

### **Minutes of December 15, 2000 Meeting:**

The minutes of the December 15<sup>th</sup> meeting were approved as submitted.

### **Executive Director's Report:**

John-Mark Hack, Executive Director, explained that Governor & Mrs. Patton were in Washington, D.C. attending meetings of the Southern Governor's Association, Democratic Governor's Association, and Presidential Inaugural festivities.

Next, the day's agenda was reviewed. Director Hack advised that members would hear from Jill LeMaster, Executive Director, of the Executive Branch Ethics Commission, receive an update on the County Plans received to date, discuss committee meeting schedules, and get an overview of the project proposals received in January.

Mr. Hack congratulated board member Larry Clay on his appointment as President of the Kentucky Cattlemen's Association. He further advised that board members and staff would be attending the KCA's luncheon at the Executive West Hotel.

## **Executive Branch Ethics:**

Jill LeMaster, Executive Director of the Executive Branch Ethics Commission, presented Agricultural Development Board (ADB) members with a copy of the Guide to the Executive Branch Code of Ethics for State Government Officers and Employees.

Ms. LeMaster advised that although county council members and ADB members are not legally bound to adhere to the Executive Branch Code of Ethics, they are ethically bound. She went on to explain that public perception of board/county council action (i.e. voting to approve projects whereby ADB/council members, immediate family, or partners of ADB/council members, etc., may directly or indirectly benefit financially; or voting against competing projects) could as worse case scenario result in law suits against the ADB/councils. Best-case scenario is that ADB/council integrity would be undermined.

Director LeMaster made several suggestions to assure compliance of the ethics code. Her first suggestion was that the ADB draft its own code of ethics for members. (ADB staff is required to adhere to the existing code.) She further suggested that county councils not be given authority to approve projects for funding of state or county funds, only given the authority to evaluate projects for compliance with their County Comprehensive Plan.

Gordon Duke, Chief Operating Officer, pointed out to ADB members that HB611 did not grant County Councils authority to approve funding for projects.

Members engaged in a lengthy discussion and asked Ms. LeMaster numerous questions concerning the ethics code. It was determined that the ADB members must adhere to the Code of Ethics.

Dean Scott Smith moved that: 1) the ADB develop written ethics policy for county councils; 2) that county councils be given authority to evaluate proposals based on compliance with the County Comprehensive Plan and make funding recommendations to the ADB; 3) that each county proposal include a statement of disclosure detailing those individuals that would benefit financially if the proposal is funded; 4) that any county council member benefiting from the proposal, abstain from discussion of and voting on the proposal. The motion received a second from Sam Lawson.

Commissioner Smith asked that members consider the motion during the lunch break and resume discussion after lunch. The ADB recessed for lunch at 11:30.

The meeting reconvened at 1:15.

Discussion of the motion was lengthy. Secretary Strong recommended that staff meet with counsel and with the Ethics Commission, draft a policy document, and bring recommendations before the ADB at the next meeting.

Sam Lawson moved to table Dean Smith's motion until staff has the opportunity to research authority given the county councils based on the State Comprehensive Plan. The second was received from Wayne Hunt. The motion passed by voice vote.

Wayne Hunt moved that staff be empowered to draft an ethics policy and present the document at the next meeting. Mike Slaughter second the motion. The motion passed by voice vote.

### **Creation of New Committees:**

John-Mark Hack recommended that the board establish and approve three additional committees as follows: Plan Review Committee; Project Review Committee; and Tobacco Impacted Communities Committee. Without objection the creation of the committees passed.

Committee assignments were made as follows:

Plan Review Committee: Willa Poynter; Danny Case; Keith Jeffries; Mike Slaughter; Eddie Sellers; and Seth Conner.

Project Review Committee: Sam Moore; Susan Harkins; Wayne Hunt; Sam Lawson; and Larry Clay.

Tobacco Impacted Communities Committee: Keith Jeffries; Susan Harkins; Willa Poynter; Eddie Sellers; and Danny Case.

The Project Review Committee is scheduled to meet at 9:00a.m. on Thursday, January 25, in the conference room at 404 Ann Street.

The Plan Review Committee will meet via conference call at 3:30 p.m. on Thursday, January 25.

### **Referral of Project Proposals:**

John-Mark Hack recommended that the board refer all projects to the Project Review Committee for review and recommendation.

Secretary Strong moved to refer all projects to the committee. Susan Harkins second. The motion passed by voice vote.

### **Next Meeting:**

The next regularly scheduled meeting of the ADB is Friday, February 16. Meeting place and time will be determined at a later date.

### **Adjournment:**

Being no further business, the meeting adjourned at 3:15p.m.

The County Plan Review Committee and the Project Review Committee met briefly upon adjournment.

Copies of all handout and meeting materials are on file in the Governor's Office of Agricultural Policy.